

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:
Rebecca M. Zeher : Case No. 20-20538-CMB
:
Debtor(s) : Chapter 13
The Money Source Inc., its successors :
and/or assigns :
Movant(s) : Related to Document 40
vs. : Hearing Date: 1/25/22 at 10:00 a.m.
Rebecca M. Zeher :
:
Respondent(s) :
and :
Ashton Zeher :
Ronda J. Winnecour, Trustee :
Additional Respondent(s) :

CHAPTER 13 TRUSTEE'S RESPONSE IN OPPOSITION TO MOTION
FOR RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY

1. The Money Source Inc., requests relief from stay with regard to the property located at 569 Kelso Road, Pittsburgh, PA 15243.
2. Movant has a claim secured by a mortgage lien on the property with a present payoff amount of \$220,924.01.
3. Municipality of Mt. Lebanon also has two claims secured by liens on the property in the amount of \$402.71 (claim 5) and \$202.59 (claim 6).
4. The Motion pleads the fair market value of the premises to be \$282,000.00 based on the Debtor's Schedule A.
5. There appears to be a substantial equity cushion in the property that provides adequate protection for the creditor and relief from stay should be denied on that basis.

6. It is admitted that post-petition payments to Movant are delinquent, although Movant has received payments each month from June 2020 through December 2021 totaling \$33,186.69.

7. It is admitted that Debtor's plan payments are delinquent. Plan payment arrears through December 2021 total \$8,206.

8. Debtor's confirmed plan dated 03/07/2020 proposed to sell the 560 Kelso Road property to pay off the mortgage arrears and unsecured creditors. To date, Debtor's counsel has not filed a motion to approve the hiring of a realtor to sell the property.

9. The estate has an interest in the equity in the property. If the Debtor cannot or will not take necessary steps to sell the property and consummate the plan, the Trustee requests that the case be converted to Chapter 7, so a Trustee can sell the property and realize its value.

WHEREFORE, the Trustee respectfully requests that the motion be denied.

RONDA J. WINNECOUR,
CHAPTER 13 TRUSTEE

Date: January 4, 2022

By: /s/ James C. Warmbrodt
James C. Warmbrodt, PA I.D. 42524
Attorney for Chapter 13 Trustee
US Steel Tower, Suite 3250
600 Grant Street
Pittsburgh, PA 15219
(412) 471-5566
jwarmbrodt@chapter13trusteedpa.com

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Ronda J. Winnecour, Trustee	:	
Additional Respondent(s)	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 4th of January 2022, I served one true and correct copy of the foregoing document on the following parties in interest by United States first-class mail, postage prepaid, addressed as follows:

Joseph S. Sisca, Esquire
Assistant U.S. Trustee
Suite 970, Liberty Center
1001 Liberty Avenue
Pittsburgh PA. 15222

Rebecca M. Zeher
569 Kelso Road
Pittsburgh, PA 15243

Ashton Zeher
569 Kelso Road
Pittsburgh, PA 15243

Lawrence W. Willis, Esquire
Willis & Associates
201 Penn Center Blvd., Suite 310
Pittsburgh, PA 15235

Brian C. Nicholas, Esquire
KML Law Group, P.C.
BNY Mellon Independence Center
701 Market Street, Suite 5000
Philadelphia, PA 19106

/s/Rosa M. Richard
Office of Chapter 13 Trustee
US Steel Tower – Suite 3250
600 Grant Street
Pittsburgh, PA 15219
(412) 471-5566
cmecf@chapter13trusteedpa.com